

**REQUEST FOR PROPOSAL
Jacob Riis Beach
Gateway National Recreation Area
West Mall Building at Bay 9**



West Mall Building at Bay 9

Jacob Riis Park, Gateway NRA



| | |
|--|---|
| RFP Release Date: March 9, 2016 | Proposal Submittal Deadline: May 9, 2016 1:00 PM EST |
| Site Tour: Upon Request | Anticipated Date for Selection of Qualified Proposals: May 20, 2016 |
| Question Submission Deadlines: April 1, 2016 1:00 PM EST | Anticipated Lease Commencement: TBD - Effective Date Subject to Negotiation |

Information about other opportunities at Gateway may be found at www.nps.gov/gate.

TABLE OF CONTENTS

- I. BACKGROUND
- II. OPPORTUNITY
- III. LEASE
- IV. THE COMPETITION
- V. PROPOSAL PACKAGE
- VI. ATTACHMENTS

I. BACKGROUND

A. Gateway and Jacob Riis Park

Gateway National Recreation Area (Gateway) was established in 1972 as the nation's first urban National Park. Its 26,000 acres are operated by the National Park Service (NPS) which manages more than 400 parks and historic sites nationwide. Gateway is comprised of three park units in two states - The Jamaica Bay and Staten Island Units in New York and the Sandy Hook Unit in New Jersey. The Bathhouse and related facilities offered in this Request for Proposals (RFP) are located within Jacob Riis Park, part of the Jamaica Bay Unit of Gateway.

Riis Park was established in 1912, and is named for the noted reformer and photojournalist who dedicated his life to showcasing the plight of the urban poor. The site was used by the United States Navy as Naval Air Station-Rockaway from 1917 to 1928, where the first airplane to make a crossing of the Atlantic Ocean departed on May 8, 1919. After the Navy left, the 220-acre Riis Park was redeveloped for seaside recreation. The historic Riis Beach Bath House was opened in 1932 and remodeled in 1937 during a major expansion of the park under longtime New York City Parks Commissioner Robert Moses. Riis Park was incorporated into Gateway in 1974 and listed on the National Register of Historic Places in 1981.

In October 2012, Hurricane Sandy devastated the region and the Rockaway Peninsula suffered some of the most severe damage. Water engulfed properties on the beach and bay sides, destroyed homes and other structures, and caused significant damage to a number of NPS buildings.

Despite Hurricane Sandy, and after several decades of restricted funding and neglect, Riis Park has experienced a dramatic recovery in recent years as interest in the Rockaways has flourished. The restoration enjoyed by neighborhoods along Rockaway Beach has spread to these NPS sites as well, as beachgoers flock from communities around the region to take advantage of the mile-long white sand beaches and growing beach culture.

In May 2015, Riis Park Beach Bazaar signed a five-year lease for use of the East Mall Building at Bay 9. The Bazaar hosts free concerts, provides entertainment and houses many local vendors,



A view of Rockaway Beach, with the Jacob Riis bathhouse at right, in 1969.

which has helped attract new members of the urban population. Additionally, Improved alternative transportation options including car-sharing and livery services, shuttles, and bicycle access, has also helped visitation double to levels unseen in twenty years.

Jacob Riis Beach Statistics -- 2014/15 Comparison

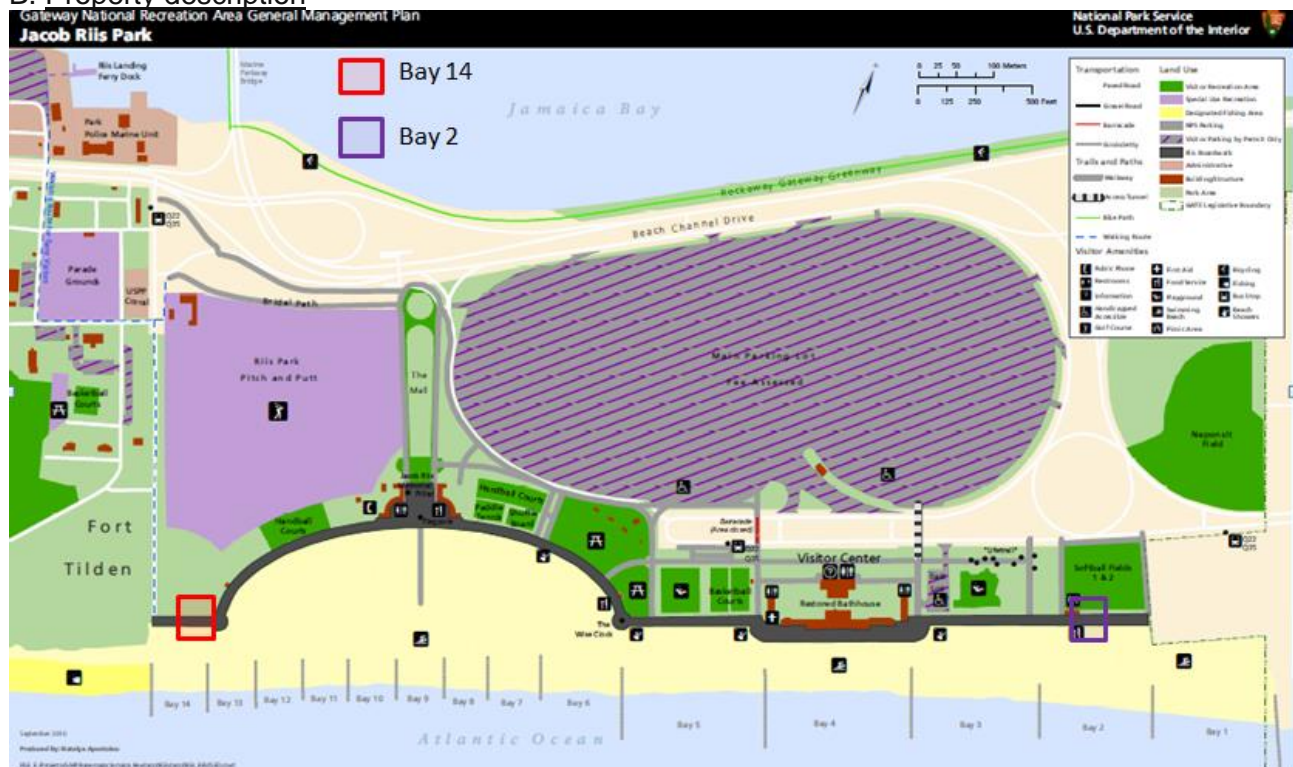
| | 2014 | 2015 | % Increase |
|-----------------|---------|---------|------------|
| Cars in lot | 82,921 | 121,488 | 47% |
| People via cars | 265,347 | 485,952 | 83% |
| People on buses | | 35,000 | |
| Bikes | | 25,000 | |
| Ferry | 7,751 | 13,226 | 71% |

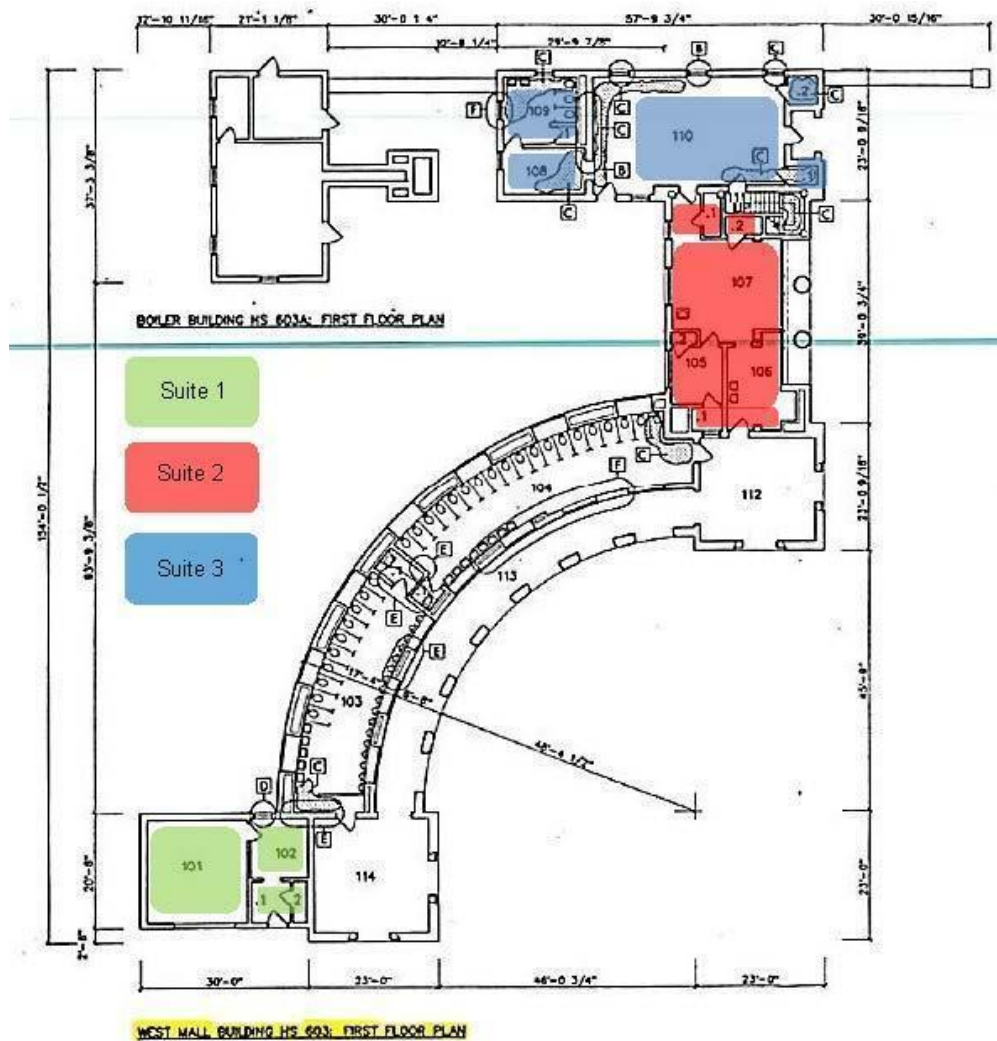
II. OPPORTUNITY

A. NPS goals

The NPS is seeking a Lessee interested in occupying Suite #3 in the West Mall Building for any use compatible with the mission and values of the NPS. Offerors are invited to propose compatible uses complementary to the Park, partners, and other lessees.

B. Property description





Please note: The interior doors, storage areas, fixtures, or closets may have been eliminated or reconstructed in locations that differ from the map above. The exterior doors and walls are accurately represented.

| Suite # | Description | Approximate Square Footage |
|---------|--|----------------------------|
| 3 | 108, 109, 110, 110.1, and 110.2 Located in the northeast end of the building. | 935 sq. ft. |

The West Mall Building is a 6,000-square-foot brick and masonry single-story Building mirroring an identical building to the east, and a classic example of 1930's public park design with a graceful curved facade that helps define an outdoor patio area that overlooks the beach. The West Mall Building also includes public bathrooms for men and women.

The West Mall Building is divided into three unique Suites, of which Suite #3 is available for lease. Suite 2 is occupied by Riis Park Beach Bazaar for office and storage use and is not available.

Suite 3 consists of three rooms and is located at the northeast corner of the Building. The approximate size of Suite 3 is 1,300 square feet. Room 110 measures approximately 35.5 feet by

23 feet and contains a floor-mounted utility sink along the south wall. A door in the southwest corner of the room leads to Room 108. Room 108 measures approximately 16.5 feet by 10 feet. A door along the north wall leads to Room 109. Room 109 measures approximately 16.5 by 13.5 feet including a small closet-like area in the southeast corner measuring approximately 3 feet by 4 feet. There are no commodes nor the appearance of water pipes in the room as depicted in the historical map. Room 110.1 contains a water heater. Room 110.2 contains a fire suppression system. Neither Room 110.1 nor Room 110.2 may be used for storage. If selected, the **Lessee must allow access to Rooms 110.1 and 110.2 to Gateway staff to operate and maintain the water heater and fire suppression system.**

The facilities are being offered in “as is” condition.

C. Property location

Block & Lot: Block 16325, Lot 1

Street Address: 16706 Rockaway Beach Boulevard, Rockaway Park, NY 11694

Riis Park is located on the western end of the Rockaway Peninsula, a barrier island that is within the Borough of Queens. Jacob Riis Park has a capacity for approximately 9,500 vehicles in its parking lot. The park is easily accessible from the west by the Marine Parkway Gil Hodges Memorial Bridge, just off Exit 11S of the Belt Parkway. The Bridge also has pedestrian walkway for access on foot or by bicycle. The New York City Metropolitan Transit Authority operates the Q22 and Q35 local buses to several stops along Jacob Riis Park Road, and operates the QM16 express bus to the eastern entrance of the park. Ferry service is also available on weekends and holidays to Riis Landing, which is just across Rockaway Point Boulevard, steps away from the park’s western entrance on Beach 169th Street.

The West Mall Building is situated on the boardwalk, adjacent to the pitch and putt golf course. Nearby is Fort Tilden, an NPS site that has become very popular with beachgoers. Amenities also include nearby handball courts, popular family picnic areas, and a bicycle rental service.

III. LEASE

The NPS is seeking lease proposals from interested individuals and business organizations for compatible use that will help make Riis Beach attractive to a larger and more varied group of visitors.

The NPS anticipates that the Lease will become effective **May 27, 2016**.

The Lease to be awarded under this RFP will contain the provisions required by 36 CFR Part 18 as well as other provisions determined by the NPS to be necessary to assure use of the leased property in a manner consistent with the purposes of the park area, and where applicable, to assure the preservation of historic property.

The selected Applicant (Offeror, proposed Lessee, Applicant, ‘you’, ‘your’) will have exclusive rights to negotiate and enter into a Lease that is not materially different from the attached Draft Lease (See Attachment A).

A. Terms and Conditions (summary)

1. Permitted uses: Gateway is seeking to lease, in “as is” condition, Suite #3 of the Riis Beach West Mall building available for compatible use.
2. Lease terms and payment: The terms of the Lease will be negotiated with the selected applicant; however, the anticipated term will be effective through November 1, 2020.

3. Rent: The minimum annual rent \$9,350. Applicants may submit Proposals for higher annual rent. The rent payment will be adjusted annually by CPI, as described in the Draft Lease attached.
4. Utilities: The Lessee is responsible for all utility costs and maintenance, including electric, gas, sewer, and water.
5. Insurance: Lessee must provide Liability Insurance coverage in an amount not less than \$1 million per occurrence/\$3 million aggregate (see attached Draft Lease) and sufficient for proposed use.
6. Rent Schedule: Applicant is required to provide the annual rent upon execution of the lease and annually thereafter.
7. Inspections: In addition, Gateway NRA maintains the right to inspect the assigned land and facilities and operation at any time during the term of the lease, without prior notice, to ensure compliance with the negotiated Lease agreement, park regulations, and public laws.
8. Trash: Scheduled trash removal to the designated disposal facility is required on a frequent basis at the Lessee's cost and expense. The NPS reserves the right to demand additional trash pick-up at the Lessee's cost and expense. The Lessee must identify the manner by which rubbish removal will be managed, including the number and location of all trash and recycling bins and the logistics for emptying these bins, waste removal, and the separation and processing of recyclable materials. Additionally, Lessee must provide a proactive and preventive Pest Control strategy including but not limited to monthly inspections of the premises. Pest Control strategies should consider products and services that limit negative environmental impacts.
9. Maintaining Clean Facilities: All facilities must be kept clean and well-maintained. If applicable, tables, chairs, and umbrellas must be clean and washed on a frequent and consistent basis. Maintenance of grease traps and other kitchen elements is required. Lessee will be required to maintain and provide satisfactory inspection reports and cleaning logs on site throughout the course of the Lease.
10. Parking: All employees of the Lessor shall be required to obtain a seasonal parking pass at their own expense. No parking is permissible along the boardwalk; exceptions can be made for deliveries with the approval of the NPS. Parking for 10,000 vehicles is available in the Riis Beach Parking Lot on a first come, first served basis. The Lessee is required to comply with any parking determinations made by the Lessor.

B. Restrictions

1. Lessee has no right of renewal for the Lease;
2. Construction of new or additional facilities is prohibited;
3. The NPS must approve any sublease;
4. Candles and other open flames are not permitted;
5. In the event of a government shutdown, access to leased facilities is permitted. However, no use outside of the leased facility is permitted on park lands and waters.
6. Operating hours: The Park is open 5:00 a.m. to 8:00 p.m. from November 1 through March 31 and 5:00 a.m. to 10:00 p.m. from April 1 through October 31. Some areas of the Park are subject to different hours of visitation or operation. **The Riis Beach parking lot is open from 6 a.m. to midnight.** Events expected to go past 8:00 p.m. from November 1 through March 31, or past 10:00 p.m. from April 1 through October 31 may require onsite supervision, the cost of which may be considered additional rent. Noise violations may result in issuance of a U.S. District Court Violation Notice pursuant to 36 CFR 2.12 (Audio Disturbance) or 36 CFR 2.34 (a)(3) Disorderly Conduct. Hours of operation are addressed in Gateway's compendium and may be subject to change.

C. Record Keeping

1. Lessee must keep detailed records of costs and expenditures associated with Repair and Maintenance projects in Excel or Excel compatible format.
2. Lessee must provide copies of all warranties which must include a provision that all warranties are transferable to the United States, as well as operation and maintenance records, manuals, and schedules provided by the manufacturer.
3. Lessee must maintain Point of Sale records of all gross receipts, invoices and records of cost of goods sold, customer counts, and revenue per sales category.

IV. THE COMPETITION

A) Overview

This competitive lease opportunity is open to all interested persons and organizations. The Applicant with the proposal judged best under the selection criteria below will be given an opportunity to negotiate a final Lease agreeable to both the selected Applicant and NPS.

To be selected by the NPS, the Applicant must demonstrate the capability to plan and finance its proposal. Evaluation criteria and the process for Lessee selection are described in detail in the sections "Proposal Selection Criteria" and "Evaluation and Selection Process" in this RFP.

The NPS reserves the right to reject any proposal or terminate Lease negotiations at any time prior to executing a final lease without penalty or liability.

B) Authority

The NPS has the authority to lease historic buildings through the National Historic Preservation Act (NHPA) 54 U.S.C. §§ 306121-306122 (2014), as amended, and the National Park Service General Leasing Authority 54 U.S.C. § 102102 (2014) which authorizes the NPS to lease federally owned property within boundaries of the park.

This RFP is issued under the authority of 36 CFR Part 18. This RFP and the offered Lease are subject to and incorporate all terms and conditions of Part 18 as applicable. In the event of any conflict between the terms of this RFP and Part 18, Part 18 controls.

C) Site Tour and Additional Information

The NPS will hold a site tour upon request. Requests for site tours should be submitted via email to Gateway_BMD@nps.gov or by mail at Business Management Division, 210 New York Avenue, Staten Island, NY 10305.

Questions not addressed in this RFP will be collected and responded to through issuance of Question & Answers (Q&A) to all registered interested parties. Questions must be submitted by April 1, 2016 via email to Gateway_BMD@nps.gov or by mail at Business Management Division, 210 New York Avenue, Staten Island, NY 10305.

D) Proposal Submission Requirements

Applicants should submit two hard copies of any proposal accompanied by a transmittal letter signed by the proposed Lessee or by the Principal of any organization submitting an application. Proposals must be formatted to 8-1/2" x 11" size, double-sided.

The proposal must be enclosed in a sealed envelope and received at the NPS office stated below by the date and time designated in this RFP. The face of the sealed envelope must state the Applicant's name and address along with the following information:

**Superintendent
Gateway National Recreation Area
210 New York Avenue
Staten Island, NY 10305**

SUBMISSION – West Mall Building at Bay 9 RFP Submission

Electronic submission of proposals is permitted through email, though such submissions will not have been deemed received until NPS issues a written response acknowledging receipt.

If Applicant does not submit a proposal through email, they must include a USB-compatible drive or CD with a file in PDF format of the entire proposal, including all attachments. Any financial attachments must be provided in Excel format or other compatible software.

Proposals may be delivered in person, by U.S. Mail, or by another delivery service. Submission of proposals by telephone, fax, or other methods will not be considered. Proposals will not be returned.

Proposals that are not received by NPS by the specified deadline will not be considered. NPS will not consider proposals that have been mailed or postmarked prior to the deadline but which are not delivered to the designated address by the deadline.

Applicant identification should include the following information for any Applicants involved and all principals of any corporate entity seeking to operate the site(s):

- Name of individual, title, address, phone number, and email address of primary contact person.
- If applicant is an entity, provide names, and contact information of each partner, proprietor, or controlling principal.
- Proposals should also detail the nature of the Applicant's corporate entity or partnership details, existing or proposed.
- Proposals should provide relevant and related professional licenses or special skills and designations.

Required Documents:

- Transmittal Letter - See attachment on website at <http://www.nps.gov/gate/index.htm>
- Applicant Identification
- Proposal:
 - Responses to Criteria 1 through 5
 - Supporting documentation for Criteria 1 through 5
 - Completed Financial Forms attached.

Proposal is not to exceed 25 pages, excluding attachments.

E) Proposal Selection Criteria and Required Responses

The NPS requires clear and concise answers. Please respond fully and accurately to all questions and requests and label your responses accordingly. If the required information is not provided, the proposal may be determined unresponsive and will not be evaluated further.

Overview

The NPS will review all responses to this RFP through an evaluation panel. Proposals will be reviewed to ensure they adhere to the requirements outlined in this RFP and were submitted on time. Proposals that do not meet these requirements will be considered unresponsive and eliminated from consideration. The NPS will select the best responsive proposal received under this RFP based on the criteria outlined below.

Criterion 1- Use

The compatibility of the proposal's intended use of the Leased Property with the preservation, protection, and visitor enjoyment of the park

NPS Objective: The NPS is seeking a Lessee interested in occupying Suite #3 in the West Mall Building for any use compatible with the mission and values of the NPS. Offerors are invited to propose compatible uses complementary to the Park, partners, and other lessees.

REQUIRED RESPONSE:

- Please describe in detail how you plan to operate a compatible use in the Suite(s) of the West Mall Building during peak summer season as well as how you might encourage year round use of the facility. Applicants should describe, if applicable, what activities they would provide.

Criterion 2 - Financial & Rent

The financial capability of the Offeror to carry out the terms of the Lease and the amount of rent offered.

NPS Objective: The NPS is interested in any compatible use of Suite #3 in the West Mall Building. The Applicant must be capable of making the financial investment required for the level of service the Applicant proposes.

The NPS will not accept proposals offering annual rent in amount less than Suite 3: \$9,350.

If selected, the Lessee must allow access to Gateway staff to operate and maintain any fire suppression systems, water heaters, electrical panels or any other plumbing or utilities in each Suite.

REQUIRED RESPONSE:

- Describe the personal property investment including all furniture, fixtures, and equipment (FF&E) you propose in connection with this opportunity
- Submit documentation of the source and availability of funds for the estimated investment costs through bank statements, bank financing commitment letters, or similar documents that substantiate your financial capability.
- State how much annual rent you offer to pay. The rent payment schedule will be negotiated with the selected Applicant. The amount of rent offered must at least equal fair market value rent as determined by the Government, stated above.

Criterion 3- Experience

The experience of the Offeror demonstrating the managerial capability to carry out the terms of the lease.

NPS Objective:

The NPS is seeking a compatible use with a concept that will attract customers as a destination. This operator will also need to demonstrate its capacity to accommodate large crowds as demand dictates. The NPS prefers applicants with experience operating facilities in or around urban park settings.

REQUIRED RESPONSE:

- Describe your experience operating the proposed compatible use.
- Describe how your experience and background qualifies you to operate the proposed compatible use.
- Submit a detailed operating plan describing the proposed compatible use including theme, concept, marketing, and design.

Criterion 4- Sustainability

The ability and commitment of the Offeror to conduct its activities in the park area in an environmentally enhancing manner through, among other programs and actions, energy conservation, waste reduction, and recycling.

NPS Objective: NPS seeks a Proposal that offers eco-friendly alternatives. References to consider:

http://www.nature.nps.gov/climatechange/docs/NPS_CCRS.pdf

Applicants should include in their plans the use of Energy Star or similar efficient appliances, and incorporate environmentally friendly green products in their operations (see the Green Restaurant Association's endorsements at www.dinegreen.com or the list of certified "Green Seal" products at www.greenseal.org). Preference will be shown to proposals that commit to these products and practices.

Offers should take into account climate change risks and storm preparedness plans that address the potentially vulnerable location.

REQUIRED RESPONSE:

- Describe your proposal for managing and using the property in an environmentally enhancing manner through programs and actions you may propose, energy conservation, waste reduction, and recycling.
- Describe your storm preparedness plan.

F) Evaluation and Selection Process

The National Park Service will review all responses to this RFP through an evaluation panel assisted by technical consultants as appropriate. All proposals will first be screened for adherence to the requirements of this RFP. NPS will not consider non-responsive proposals. A non-responsive proposal is a proposal that was not timely submitted or fails to meet the material terms and conditions of this RFP as determined at the sole discretion of the NPS. The NPS will select the Applicant best-suited to provide food and beverage services based on responses to the selection criteria. The NPS will negotiate the terms of the final Lease with the successful Applicant. If negotiations with the selected Applicant fail, the NPS may negotiate with other Applicants for award of the offered Lease or terminate this solicitation without liability to any person.

The NPS, in its sole discretion, will determine whether the Applicant's experience and financial capability match the scale and scope of the proposal.

The NPS reserves the right to reject one or all proposals, or terminate lease negotiations at any time prior to executing a final lease without penalty or liability.

G) Additional Information and Modification of Proposals

NPS may request additional information or written clarification of a proposal from any Applicant after the submission date. However, proposals may not be amended after the submission date unless permitted by the NPS. The NPS may not permit amendment of a proposal unless all Applicants that submitted responsive proposals are given an opportunity to amend their respective proposals.

H) Confidentiality – Proposals Considered Public Documents

All proposals submitted in response to this Request for Proposals may be disclosed by the NPS to any person, upon request, to the extent required or authorized by the Freedom of Information Act (5 U.S.C. Section 552). If you believe that your proposal contains trade secrets or confidential commercial or financial information exempt from disclosure under the Freedom of Information Act, mark the cover page of each copy of the proposal with the following legend:

“The information specifically identified on pages of this proposal constitutes trade Secrets or confidential commercial or financial information that the Applicant believes to be exempt from disclosure under the Freedom of Information Act. The Applicant requests that this information not be disclosed to the public, except as may be required by law.”

Applicants must specifically identify what you consider to be trade secret information or confidential commercial or financial information on the page of the proposal on which it appears, and you must mark each such page with the following legend:

“This page contains trade secrets or confidential commercial and financial information that the Applicant believes to be exempt from disclosure under the Freedom of information Act, and which is subject to the legend contained on the cover page of this proposal.”

Information so identified will not be made public by the NPS except in accordance with law. The NPS does not warrant and assumes no liability for the accuracy of the information provided in this RFP.

VI. ATTACHMENTS

- A. Sample Lease
- B. Transmittal Letter
- C. Financial Form



EXPERIENCE YOUR AMERICA TM